

CT/PTO

6 DEC 2004

#6

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 2, 2004

Signature:

*Mary Jane DiPalma*  
(Mary Jane DiPalma)

Docket No.: ASZD-P01-383  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Robert Patrick Hof

Application No.: 10/501250

Confirmation No.: 7528

Filed: July 8, 2004

Art Unit: Not Yet Assigned

For: PROCESS FOR THE PREPARATION OF 2-  
(6-SUBSTITUTED-1,3-DIOXANE4-YL)  
ACETIC ACID DERIVATIVES

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

A copy of each reference on the PTO/SB/08 is attached.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. ASZD-P01-383. A duplicate copy of this paper is enclosed.

Dated: December 2, 2004

Respectfully submitted,

By 

David P. Halstead, Ph.D.

Registration No.: 44,735

ROPES & GRAY LLP

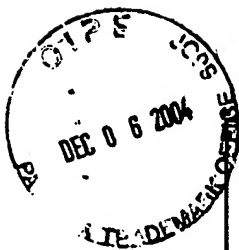
One International Place

Boston, Massachusetts 02110-2624

(617) 951-7000

(617) 951-7050 (Fax)

Attorneys/Agents For Applicant



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

PTO/SB/08a/b (08-03)  
Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/B/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet	1	of	2	Attorney Docket Number	ASZD-P01-383
-------	---	----	---	------------------------	--------------

**Complete If Known**

Application Number	10/501250
Filing Date	July 8, 2004
First Named Inventor	Robert Patrick Hof
Art Unit	N/A
Examiner Name	Not Yet Assigned
Attorney Docket Number	ASZD-P01-383

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA	US-3,992,432	11-16-1976	Napier et al.	
	AB	US-5,278,313	01-11-1994	Thottahil et al.	
	AC	US-5,594,153	01-14-1997	Thottahil et al.	

**FOREIGN PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	BA	EP-1 024 139 A1	08-02-2000			
	BB	GB-885,516	12-28-1961			
	BC	JP-4-266879	09-22-1992			
	BD	WO-02/06266 A1	01-24-2002			
	BE	WO-00/68221	11-16-2000			
	BF	WO-02/06266 A1	01-24-2002			
	BG	WO-00/08011	02-17-2000			
	BH	WO-03/106447 A1	12-24-2003			
	BI	WO-91/13876	09-19-1991			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	CA	Advanced Organic Chemistry, Reactions, Mechanisms and Structure, page 392 (1992)	
	CB	Barry et al., "Alkylations en Absence de Solvant Organique. Effects D'addition D'oxydes Mineraux et de sels D'Ammonium - II," Tetrahedron 39(16):2673-2677 (1983)	
	CC	Barry et al., "Easy and Efficient Anion Alkylations in Solid-Liquid PTC Conditions," Tetrahedron Letters 23(51):5407-5408 (1982)	
	CD	Bennett et al., "Methyl (3R)-3-Hydroxyhex-5-enoate as a Precursor to Chiral Mevinic Acid Analogues," J. Chem. Soc. 1:133-140 (1991)	
	CE	Bram et al., "Anionic Activation by Solid-Liquid Phase Transfer Catalysis Without Solvent: An Improvement in Organic Synthesis," Israel Journal of Chemistry 26:291-298 (1985)	
	CF	Chikara et al., "Preparation of Optically Active 5,6-epoxyhexanoic Acid Esters as Materials for Physiologically Active Substances," Chemical Abstracts 118(11) (1993)	
	CG	Halpern, "Choosing a Phase-Transfer Catalyst for the First Experiment," Phase-Transfer Catalysis Communications 3(1):1-16 (1997)	
	CH	Murphy et al., "Chemistry of Cephalosporin Antibiotics. XVII. Synthesis of 7-Acyl-3-methyl-2-cephem-4-carboxylic Acid Esters," J. Org. Chem. 35(7):2429 (1970)	
	CI	Sakaki et al., "Lipase-catalyzed Asymmetric Synthesis of 6-(3-Chloro-2-hydroxypropyl)-1,3-dioxin-4-ones and Their Conversion to Chiral 5,6-Epoxyhexanoates," Tetrahedron: Asymmetry 2(5):343-346 (1991)	
	CJ	Starks et al., "Phase Transfer Catalysis, Principles and Techniques," pgs. 140-169 (1978)	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
--------------------	--	-----------------	--